

## CHAPTER 188.

## CITIES OF THE SECOND CLASS.

APRIL 8. AN ACT to Constitute Mayors of Cities of the Second Class Presiding Officers of the City Council thereof.

**Mayors to** *SECTION 1. Be it enacted by the General Assembly*  
**preside in** *of the State of Iowa,* That the Mayor, of cities of the  
**councils, and** *second class,* is hereby constituted the presiding officer  
**have casting** *of the city council of the city in which he is elected,*  
**vote.** *and shall constitute a member of such council, and*  
*shall have a casting vote where there is a tie.*

**Taking effect.** *SEC. 2. This act shall take effect from its publication*  
*in the Daily State Register and Iowa Evening States-*  
*man, newspapers published at Des Moines.*  
*Approved April 8, 1868.*

I hereby certify that the foregoing act was published in *The Iowa Evening Statesman* April 17, 1868, and in the *Daily State Register* April 19, 1868.

ED WRIGHT, *Secretary of State.*

## CHAPTER 189.

## TAKING PRIVATE PROPERTY FOR WORKS OF INTERNAL IMPROVEMENT.

APRIL 8. AN ACT Supplementary to Article 1, of Chapter 55, of the Revision, ch. 55. of 1860, relating to taking private Property for Works of Internal Improvement.

**How private** *SECTION 1. Be it enacted by the General Assembly of*  
**property for** *the State of Iowa,* That whenever, in the opinion of  
**constructing** *the Governor,* the interest[s] of the people of the State  
**drains, sew-** *require the construction of any drains, sewers, conduits,*  
**ers, &c., for** *or other conveniences for the benefit of the Peniten-*  
**State institu-** *tiary, Hospital for the Insane, or any other of the*  
**tutions may be** *charitable or other institutions of the State, upon or*  
**taken.** *across lands, being private property, the same pro-*  
*ceedings may be had in the name of the State as plain-*  
*tiff as provided by article 1, of chapter 55, of the*  
*Revision of 1860, and for that purpose the State shall*  
*be considered a person; but the limitation in section*  
*1298 of said chapter shall not apply to proceedings in*  
*the name of the State.*

Rev., § 1298.  
 License not  
 required.

SEC. 2. Such proceedings on the part of the State Dist.-Att'y to shall be conducted by the district-attorney of the conduct proceedings district where the land may lie; and he shall commence such proceedings whenever ordered by the Governor.

SEC. 3. In any proceedings in said chapter, the plaintiff, as well as the owner of the land, may file the objections provided in section 1292, and when objections are filed, the finding of the jury, upon the trial of the issue there joined, shall be to all intents the same as upon the trial of an appeal; and the amount fixed by such trial as damages shall be the sum to be paid into court as provided in section 1293: *Provided*, When no objections are filed, the amount fixed by the first jury shall be the amount to be paid into court.

In all cases, plaintiff may file objections to proceedings. Rev., § 1292. Finding of second jury; fixes damages. Rev., § 1293. Proviso.

SEC. 4. Whenever any such sum shall be determined in either manner, upon the certificate of the clerk of such court, the Auditor is authorized, upon the order of the Governor indorsed thereon, to draw his warrant on the Treasurer for the amount of such finding for any money in the treasury not otherwise appropriated.

Auditor to draw warrant—when.

Approved April 8, 1868.

## CHAPTER 190.

### DELINQUENT TAXES.

AN ACT for the More Effectual Collection of certain Delinquent Taxes. APRIL 8.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That in all cases of delinquent taxes in any of the counties of this State, where the person upon whose property the same were levied shall have removed into another county of the State, leaving no property within the county where the taxes were levied, out of which the same can be made, it shall be lawful for and be the duty of the treasurer of the county where said taxes are delinquent, to make out a certified abstract of said taxes as they appear upon the tax-book, and forward the same to the treasurer of the county in which the person resides, or has property, who is owing said taxes; whenever the treasurer transmitting said abstract has reason to believe that said taxes can be collected thereby.

In cases of delinquent taxes and removal of party to another co., treasurer to send abstract to treasurer of such co.; when.